

103D CONGRESS
1ST SESSION

S. 1225

To authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission.

IN THE SENATE OF THE UNITED STATES

JULY 14 (legislative day, JUNE 30), 1993

Mr. BINGAMAN (for himself, Mr. MCCAIN, and Mr. SIMON) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States-Mexico
5 Border Health Commission Act”.

6 **SEC. 2. AGREEMENT TO ESTABLISH BINATIONAL COMMIS-**
7 **SION.**

8 The President is authorized and encouraged to con-
9 clude an agreement with Mexico to establish a binational

1 commission to be known as the United States-Mexico Bor-
2 der Health Commission.

3 **SEC. 3. DUTIES.**

4 It should be the duty of the Commission—

5 (1) to conduct a comprehensive needs assess-
6 ment in the United States-Mexico border area for
7 the purposes of identifying, evaluating, preventing,
8 and resolving health problems and potential health
9 problems that affect the general population of the
10 area;

11 (2) to develop and implement a comprehensive
12 plan for carrying out the actions recommended by
13 the needs assessment through—

14 (A) assisting in the coordination of public
15 and private efforts to prevent potential health
16 problems and resolve existing health problems,

17 (B) assisting in the coordination of public
18 and private efforts to educate the population, in
19 a culturally competent manner, concerning such
20 potential and existing health problems, and

21 (C) developing and implementing culturally
22 competent programs to prevent and resolve
23 such health problems and to educate the popu-
24 lation, in a culturally competent manner, con-
25 cerning such health problems where a new pro-

1 gram is necessary to meet a need that is not
2 being met through other public or private ef-
3 forts; and

4 (3) to formulate recommendations to the Gov-
5 ernments of the United States and Mexico concern-
6 ing a fair and reasonable method by which the gov-
7 ernment of one country would reimburse a public or
8 private person in the other country for the cost of
9 a health care service that such person furnishes to
10 a citizen or resident alien of the first country who
11 is unable, through insurance or otherwise, to pay for
12 the service.

13 **SEC. 4. OTHER AUTHORIZED FUNCTIONS.**

14 In addition to the duties described in section 3, the
15 Commission should be authorized to perform the following
16 functions as the Commission determines to be appro-
17 priate—

18 (1) to conduct or support investigations, re-
19 search, or studies designed to identify, study, and
20 monitor, on an on-going basis, health problems that
21 affect the general population in the United States-
22 Mexico border area;

23 (2) to conduct or support a binational, public-
24 private effort to establish a comprehensive and co-
25 ordinated system, which uses advanced technologies

1 to the maximum extent possible, for gathering
2 health-related data and monitoring health problems
3 in the United States-Mexico border area; and

4 (3) to provide financial, technical, or adminis-
5 trative assistance to public or private persons who
6 act to prevent or resolve such problems or who edu-
7 cate the population concerning such health problems.

8 **SEC. 5. MEMBERSHIP.**

9 (a) NUMBER AND APPOINTMENT OF UNITED STATES
10 SECTION.—The United States section of the Commission
11 should be composed of 13 members. The section should
12 consist of the following members:

13 (1) The Secretary of Health and Human Serv-
14 ices or the Secretary's delegate.

15 (2) The commissioners of health or chief health
16 officer from the States of Texas, New Mexico, Ari-
17 zona, and California or such commissioners' dele-
18 gates.

19 (3) 2 individuals from each of the States of
20 Texas, New Mexico, Arizona, and California who are
21 nominated by the chief executive officer of the re-
22 spective States and appointed by the President from
23 among individuals—

1 (A) who have a demonstrated interest or
2 expertise in health issues of the United States-
3 Mexico border area; and

4 (B) whose name appears on a list of 6
5 nominees submitted to the President by the
6 chief executive officer of the State where the
7 nominees resides.

8 (b) COMMISSIONER.—The Commissioner of the
9 United States section of the Commission should be the
10 Secretary of Health and Human Services or such individ-
11 ual's delegate to the Commission. The Commissioner
12 should be the leader of the section.

13 (c) COMPENSATION.—Members of the United States
14 section of the Commission who are not employees of the
15 United States—

16 (1) shall each receive compensation at a rate of
17 not to exceed the daily equivalent of the annual rate
18 of basic pay payable for positions at GS-15 of the
19 General Schedule under section 5332 of title 5,
20 United States Code, for each day such member is
21 engaged in the actual performance of the duties of
22 the Commission; and

23 (2) shall be allowed travel expenses, including
24 per diem in lieu of subsistence at rates authorized
25 for employees of agencies under subchapter I of

1 chapter 57 of title 5, United States Code, while
2 away from their homes or regular places of business
3 in the performance of services of the Commission.

4 **SEC. 6. REGIONAL OFFICES.**

5 The Commission should establish no fewer than 3 re-
6 gional border offices in locations selected by the Commis-
7 sion.

8 **SEC. 7. REPORTS.**

9 Not later than February 1 of each year that occurs
10 more than 1 year after the date of the establishment of
11 the Commission, the Commission should submit an annual
12 report to both the United States Government and the Gov-
13 ernment of Mexico regarding all activities of the Commis-
14 sion during the preceding calendar year.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to the Sec-
17 retary of State for payment of the United States share
18 of the expenses of the Commission such sums as may be
19 necessary.

20 **SEC. 9. DEFINITIONS.**

21 For purposes of this Act:

22 (1) COMMISSION.—The term “Commission”
23 means the United States-Mexico Border Health
24 Commission authorized in section 2.

1 (2) HEALTH PROBLEM.—The term “health
2 problem” means a disease or medical ailment or an
3 environmental condition that poses the risk of dis-
4 ease or medical ailment. The term includes diseases,
5 ailments, or risks of disease or ailment caused by or
6 related to environmental factors, control of animals
7 and rabies, control of insect and rodent vectors, dis-
8 posal of solid and hazardous waste, and control and
9 monitoring of air and water quality.

10 (3) RESIDENT ALIEN.—The term “resident
11 alien”, when used in reference to a country, means
12 an alien lawfully admitted for permanent residence
13 to the country or otherwise permanently residing in
14 the country under color of law (including residence
15 as an asylee, refugee, or parolee).

16 (4) UNITED STATES-MEXICO BORDER AREA.—
17 The term “United States-Mexico border area”
18 means the area located in the United States and
19 Mexico within 100 kilometers of the border between
20 the United States and Mexico.

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